James Burnham As Philosopher Turned Informer for The Attorney General's List, Page 3

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Challenging the B'nai Brith In the Arthur Miller and Otto Nathan Contempt Cases

Should An Anti-Defamation League Encourage Defamation?

In his testimony at the blacklist hearing in Washington, Arnold Forster, general counsel of the B'nai Brith Anti-Defamation League, tried to run with the harassed hares of the Fund for the Republic and at the same time hunt with the hounds of the Congressional witch hunt. He thought the blacklist was "dreadful" but praised the Madison Avenue and journalistic specialists who first smear artists and then help them to "clear" themselves. Forster said he thought it was the obligation of an organization like his to help artists who had been unfairly discriminated against. But at the same time he emphasized that the Anti-Defamation League helps no one who has pleaded the Fifth amendment, refused to give the FBI any information he may have on Communism, or declined to appear as a cooperative witness before the House Committee on Un-American Activities. In plainer language, the Anti-Defamation League will help only those prepared to inform and crawl.

We wonder how many members of the B'nai Brith realize that by these standards its Anti-Defamation League could not help two outstanding members of the American Jewish community whom the House Committee has just voted to cite for contempt. Arthur Miller does not measure up to the Anti-Defamation League standard because he refused to be a cooperative witness and "name names." Professor Otto Nathan, the executor of Albert Einstein's estate, probably the great physicist's oldest and closest friend, does not measure up to the Anti-Defamation League standard because he also refused to be a cooperative witness and declined on moral and political (including First but not Fifth amendment) grounds to permit himself to be subjected to political interrogation.

We believe that if Forster's policy statement were submitted to a vote of the B'nai Brith rank and file, it would be rejected. We urge those of our readers who are members of B'nai Brith to insist that this pro-blacklist policy be submitted to internal debate and scrutiny. Do the members of B'nai Brith want this organization to approve the blacklisting of an artist because he exercises his constitutional rights? Do they believe a self-appointed group should be allowed to act as unofficial censors over entertainment and the arts, smearing here and clearing there, often as a means of livelihood? Does the membership of B'nai Brith think it ought to be defending Arthur Miller and Dr. Otto Nathan—or joining hands with Chairman Walter of the House Committee?

Why should an Anti-Defamation League end up by encouraging those whose business is defamation? What difference is there in principle between liquidating Jewish artists in Nazi Germany and later in Soviet Russia on political grounds, and blacklisting artists in this country on political grounds? Is it to the advantage of any minority to encourage the totalitarian spirit in this country, to weaken basic constitutional guarantees, to join hands with forces which tomorrow can as easily turn against them? What greater folly for a Jewish organization than to help weaken in any way the Bill of Rights?

Why Not Harriman and Nixon?

Governor Harriman was not quite correct when he told the National Press Club that he alone, of all the candidates for the Presidency, was totally invulnerable to the charge of Communism. In a sense there is one other—Richard Nixon, whose fitness for the Presidency may be the deciding issue of the campaign. Except for one slip, that recent commencement address at Lafayette College, Nixon—unlike Eisenhower and Stevenson—is as immune as Harriman to any suspicion of wanting to make peace with Moscow.

Should the Democrats nominate Harriman, however, a serious question will arise. He is as old as Eisenhower. If fate should strike Harriman down in office, how could voters be sure that he would be succeeded by a man as pristine in his anti Communism? These misgivings would be allayed if for once a little logic were brought into our two party system. What we are suggesting is that the Democrats nominate Harriman and Nixon, while the Republicans run Eisenhower and Stevenson. The voters would then have a clear choice between a "soft on Communism" ticket and a ticket guaranteed to stand firm even if Krushchev in wily desperation offered to take holy orders and turn the Soviet Air Force over to Consolidated Vultee.

Both Ideologically Rugged Men

A witty Frenchman after a visit to this country went home and reported that in America the working class was Democratic, the middle class Republican and the millionaire Communistic. We like to think of Ave Harriman as the austere exception, the Multimillionaire Who Never Fell for Marx.

In the presidential race as we visualize it, Nixon could be built up into as ideologically rugged a figure. Except for that plumber whose name escapes us, Nixon is the only poor boy who sat with that Cabinet of Millionaires, the only one who could never afford a Cadillac, yet emerged untainted. While Charlie Wilson grew so convivial with Molotov at Geneva that he began to think what was good for the Soviet Union might be good for General Motors, and Secretary Humphrey let four years pass without making a single speech against Communism, and Oveta Culp Hobby defended the right to read the Daily Worker, and even John Foster Dulles (on alternate Tuesdays) was equivocal about neutralism, Nixon plodded on unswervingly, the Barefoot Boy of the Millionaire Cabinet. Here is the one man with whom Harriman can run without fear of guilt by association.

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And Speaking of Democracy, Who Elected Krushchev?

The biggest disappointment of the week was the special session of the Supreme Soviet in Moscow. Many hoped that it was being called to ratify the new criminal code promised by the Ministry of Justice "within 30 days" on March 27, 1953. But the session, like those of the Stalin period, rapidly rubber stamped a series of decrees and made some minor changes in the new pension laws. There was no sign of the kind of free debate which marked the Polish Sejm in April. Moscow seems to be putting the lid on discussion in the Communist parties abroad and this will be the real test of their independence—not that wailing over the sins of Stalin which Krushchev orchestrated.

The fall of Rakosi in Hungary is a triumph for Tito, another episode in the wooing of Belgrade. But it is not yet clear what it will mean internally for Hungary. The *Pravda* editorial of July 15 calling on the Communist parties to close ranks behind Moscow spoke sharply of those intellectuals in Hungary who "tried under the guise of discussion to spread anti-party views." The same editorial also said the "past mistakes and shortcomings in connection with Stalin's cult . . . have already been rectified by the CPSU Central Committee." This was fast work.

We urge honest Communists sincerely and deeply upset, as so many were, by the Krushchev speech to keep open mind a little longer. They need trust nothing but their own judgment and Moscow's words. We advise them to read for themselves the text of *Pravda's* editorial, "International Forces of Peace, Democracy and Socialism Are Growing and Strengthening," and ask themselves whether this sounds like the writing of people trying to grapple with real problems. According to *Pravda*, on the Poznan affair, for example, "It is now universally known that this provocation was brought about by enemy agents" and is now "unanimously condemned by the Polish people." Unanimous, no less.

Correction from Poland

The Polish poet, Wladyslaw Broniewski, writes us from Warsaw that his poem, "Police Dogs," which we published (June 4) from a recent issue of *Trybunu Ludu* was written in 1932 about a Ukrainian Communist tortured in a Polish prison. In common with the London *Times* (where we first saw mention of it on our way back from Poland) we misunderstood and thought it a contemporary poem. After seeing the reference in the *Times*, we asked both the press officer of the Polish Embassy in Washington and the Polish press service in New York about the poem but never heard from either. As a result we had to depend on volunteer translating help. Had someone studied the rest of the page in *Trybunu Ludu* for us, we we would have been informed of a note explaining when the poem was originally written. We regret the error, and send our respects to M. Broniewski, who is held in deservedly high esteem in Poland and abroad.

Those who fall back upon the old apologetics, those who have not really learned that the lesson of the past few months is the danger of not thinking for themselves, will wake up one of these days to find they have been as bitterly deceived about Krushchev as they were about Stalin. His latest on the lack of free elections in Guatemala and Indochina is demogogy, not serious discussion. If free elections are so desirable, why are they not held in the Soviet Union? Who elected Krushchev? Who chose him to be the world spokesman of a whole movement? How many people indeed ever heard of him *before he suddenly appeared after Stalin's death? Is this* democracy?

Walter "Faceless Informer" Passport Bill On Shelf for This Session

The effort of the State Department's passport division to legalize its restrictive travel regulations and the use of anonymous informants seems to have been defeated, at this session of Congress anyway. The House Judiciary Committee met in executive session last Wednesday but again failed to act on the Walter passport bill (HR 9991, revised as HR 1582). The subcommittee in charge of the measure reported it favorably to the full committee several weeks ago, but it is still bottled up, with no companion measure out of committee in the Senate.

The only two witnesses who turned up for the bill at the subcommittee hearings in May were Scott McLeod and Francis Knight of the passport division. The bill was opposed by the American Bar Association, the Association of Immigration and Nationality Lawyers and the Emergency Civil Liberties Committee, though a statement by Clark Foreman, director of the ECLC, was churlishly left out of the printed record.

Whether as face-saver, delaying action or the beginning of a new try at such legislation, the new Commission on Security set up a subcommittee on June 17 to deal with passports (as well as international organizations and port security). Walter, a member of the full Commission, declined a place on the subcommittee, which is made up of Under Secretary of Commerce Louis S. Rothschild, Dr. Susan Riley of Peabody College and Congressman William M. McCulloch (R.) of Ohio. Walter, it is now said, will not press his measure but wait for this subcommittee to report.

This Commission is the one set up under the Humphrey-Stennis resolution and opposed by the Attorney General and the FBI. Eight of the twelve members were picked by the White House and Nixon with Brownell's advice so the possibility that it may turn in a ringing defense of the right to travel is too small to be calculated without an IBM machine. Just to keep everything in order, the Commission's staff director, D. M. Ladd, turns out to be a retired FBI man, son of the radical Non-Partisan League Senator from North Dakota, one of the elder La Follette's lieutenants.

One the Papers Didn't Print: How the Nazis Hoped to Buy Off Jim Farley

A story no newspaper or wire service seems to have covered is worth the attention of the historian interested in the Roosevelt period. At page 1,079 of State Department release No. 375 (Documents on German Foreign Policy, 1918-45. The Last Months of Peace) for July 15 was a Nazi memo which tells how the American publisher, Ralph Beaver Strassburger, "ready to do anything which would serve the German cause," was trying to split the Democratic party and create "an open breach" between Roosevelt and Farley before the 1940 elections.

The wealthy Norristown, Pa., publisher met Farley in Germany in August 1939 and "offered Farley a post with a salary of $50,000 a year, in order to make the breach with Roosevelt easier for him." Farley declined. The Strassburgers were indignant because R. H. Geist, then first secretary of the U.S. Embassy in Berlin, took Farley out to see a concentration camp; they thought this showed a "lack of taste." The Strassburgers tried to draw Farley's attention to "various things" in Hitler's Reich "which had impressed them" but "Farley had not noticed any of these things." Strassburger, according to the memorandum, "regards the U.S. Ambassador in Paris, the half-Jew Bullitt, as the chief American warmonger in Europe" and was collecting material on Bullitt "to use in the election campaign next year."

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A Story The Press Did Not Cover and the Rest of the Left Is Foolish to Ignore

The Attorney General Ends the First Hearing on His Notorious "List"

The government of the United States never looked more ludicrous than in the year long hearings which have just ended to determine whether the Independent Socialist League shall remain on the Attorney General's list. The average well informed American, if asked about this list, would say that it was intended to keep off the Federal payroll members of organizations which might pipeline secrets to Moscow or try to overthrow the government by force and violence.

But the organization picked to be the guinea pig of the first such hearings ever held by the Attorney General is the one least likely to steal atom bombs for Moscow, the most anti-Muscovite of all the Left splinter groups. In addition, though staunchly revolutionary in its ideology, the Independent Socialist League constitutes a somewhat unclear and only microscopically present danger. It has 200 members.

Technically speaking, the ISL originated as the Right opposition to the Left opposition to orthodox Communism. It was a minority which seceded from the Trotzkyist Socialist Workers Party in 1940 as a protest against the Russian attack on Finland and Trotzky's view that the Soviet Union, though "degenerate," must still be defended.

In 1949 the Voice of America broadcast to 17 countries, and U.S.-supplied bombers dropped over Communist China, a leaflet called "Stalinism Is Not Socialism," of which the ISL's leading figure, Max Schachtman,* was a signer. Since the organization was already on the Attorney General's list at that time, a future McCarthy may use the incident to prove that in 1949 the Democrats were so far gone in treason that—despite the clear warning of the Attorney General's list—they permitted the Voice of America and American bombers to be used by *known subversives* in spreading abroad revolutionary doctrines so *extreme* that they were too much even for Leon Trotzky!

Members of the ISL were triply pariah—the government regarded them as Reds, the Reds as Trotzkyists, and the Trotzkyists as renegades; never did so few stagger around under so many scarlet letters. It is a tribute to their calibre that the government until a few weeks ago was unable in a year of trying to recruit a single witness from among their past or present membership. Its only witness was a Professor Geroid T. Robinson of Columbia, one of those Russian experts. He read long excerpts from Lenin into the record but admitted on cross-examination by Joseph L. Rauh, Jr., the League's counsel, that he had never heard of the organization against which he was testifying!

Then for "rebuttal" the government produced James Burnham, whose testimony the reader can sample for himself in two boxes on this page. This Trotzkyist turned McCarthyite admitted that he had been a member of the ISL only for a few weeks after it was formed and rarely read its scrappy organ, *Labor Action*. Burnham's way of proving that the ISL advocated overthrow was pungently summed up by that paper's editor, Hal Draper, as "a police agent's inference from an implication of an hypothesis about a theory of class relations."

The extended hearings—before a trial examiner—should disillusion those who think that "due process" may correct the evils of the Attorney General's list. The hearings turned into a long Talmudic exploration of Marxism, a doctrine as multiform as Christianity; the Attorney General might just as well use due process to determine which views of the virgin birth are heretical.

We take our hat off to those who appeared as defense witnesses for the ISL: Norman Thomas, Harry Fleischman, Daniel Bell of *Fortune* and Dwight Macdonald of the *New Yorker*. Macdonald as a former member deserves special praise for his courage.

We note finally the extraordinary indifference of the rest of the Left to this whole proceeding, though it will test the right of the Attorney General to set up an *index expurgatorius* in American politics, blacklisting independent radicals as well as Communists.

* It was Schachtman's successful passport suit last year which forced the government to hold these hearings.

Fifth Amendment: FBI Variety

Q. [by Joseph L. Rauh] Did you ever say in public that the Workers Party advocated the overthrow of the government by force and violence?

A. [by James Burnham] I don't remember that the occasion ever arose.

Q. Since it is a violation of the law, wasn't it your duty to tell the FBI? . . .

A. I don't object to answering personally, but whatever small relations I've had with the FBI are a matter of confidence. . . .

[When Rauh pressed for an answer, the government insisted internal security might be endangered if Burnham were forced to answer. Objection was overruled.]

Q. You testified here that the ISL advocates overthrow by force and violence? Did you tell that to the FBI?

A. In the same sense as I testified to in this hearing —yes.

Q. You don't talk to the FBI in that language. I know them, they want it in English; now I want to know just what you said.

A. I must decline in general to discuss my relations with the FBI.

—Attorney General's list hearing, July 10

James Burnham, As Government Witness, on The Virtues of Official Lying

Q. [by Joseph L. Rauh, Jr., counsel for the Independent Socialist League]. Did you ever say anywhere that you had to use Communist methods to defeat them [Communists]?

A. [by James Burnham]. I didn't know whether I used that phrase, but I have said in effect that some of the methods used by Communists are appropriate to struggle against

Q. And lying is one of them, isn't it, Mr. Burnham?

A. On some occasion, yes . . .

Q. All right, I will ask you: You have indicated it was all right to lie in fighting Soviet Communism. Is it all right to lie in fighting other communisms?

A. It could be.

Q. [by Government Attorney Kirk Maddrix, in an effort to repair the damage]. I am asking you whether in your opinion it is justifiable for any witness to come into this particular hearing and tell a falsehood against these organizations?

A. No.

Q. [by Rauh]. . . . Where would it be proper to lie, Mr. Burnham, against either official or unofficial communism?

A. In the conduct of a national struggle. . . .

Q. You mean only governments could lie, not individuals?

A. Individuals working as agents of the government or officers of the government under instruction. . . .

—Attorney General's list hearing, July 11

We wonder how many government informers have been indoctrinated with the idea that perjury may be patriotism.

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How to Handle Politically Unreliable But Inventive Geniuses

We've been in continuous staff meeting for a week with the problem put before a House Government Operations subcommittee by former Assistant Air Force Secretary Trevor Gardner. Government security officers are having trouble with a brilliant scientist who keeps inventing "top secret" ideas, though he himself has not been cleared. They have denied him access to his own secrets but "unfortunately," Gardner said, "this man has such an inventive ability he keeps coming up with top secret ideas." What to do? His passport should, of course, be cancelled immediately. Beyond that we can see only one sure precaution, an adaptation of the New York State "Baumes law" which automatically sentences fourth offenders to life imprisonment. Any scientist convicted for the fourth time of discovering a top secret idea could be put away permanently under guard, still free to invent, of course, but not to roam.

The Fascist-Racist Axis in the Senate: The opposition to Sobeloff's nomination to the Court of Appeals sprang not only from his anti-segregation views but from the hostility to faceless informers and the witch hunt which he showed in the Peters and Lattimore cases; he is a man of integrity and deep respect for law. The 19 votes against him measures about the full strength that the Crypto-Fascists of the Senate can muster when allied with the white supremacy sentiment of the South. On the Republican side, only Jenner, McCarthy, Welker and Williams of Delaware voted against him; the last named responded to racist feeling in Delaware; the first three make up the screwball rightist fringe of the G.O.P. Were it not for the race issue, their Democratic counterpart, Eastland, would not have been able to swing more than three votes on his own side of the fence. But as it is race hatred forced true conservatives like George and Russell and Southern liberals like Sparkman and Lister Hill into the lineup against Sobeloff. Delaware, Virginia, North Carolina, South Carolina, Georgia, Alabama, Louisiana and Mississippi were solid against him. Fulbright of Arkansas and Smathers of Florida voted for him while McClellan of Arkansas and Holland of Florida were recorded against. The border states of Kentucky, Tennessee, Oklahoma, Missouri and Maryland were recorded for Sobeloff. Among the surprises: the two favorable votes from Texas; Chavez, spokesman of the Latin American minority, voted against a man friendly to the Negroes; Butler of Maryland, McCarthy's protege, voted for Sobeloff.

New Reds-in-State-Dept. Scenario? The Hearst press has been tipped off that Eastland's Senate Internal Security Subcommittee questioned in executive session three former Justice Department "bosses" of Judy Coplon, two of them now employed in State. Chief Counsel Robert Morris said this was an attempt "to discover how Miss Coplon got her job." One of those questioned, now a Foreign Service officer, was restored to his post last December after security hearings.

Not Kosher, Like Martin Luther: For the second time in recent months, the Roman Catholic Legion of Dencency has used its power of unofficial censorship over the film industry to affix its little yellow badge on a film for other than supposed moral reasons. The first was in the case of "Martin Luther" which it labelled "unacceptable" for its theology. Now it has turned thumbs down on "Storm Center" which will star Bette Davis as a librarian who refuses to remove a book on Communism from her shelves. The Legion judges the film "highly propagandistic," "controversial," "warped, oversimplified and strongly emotional." Must be good.

Eye-Witness in Poznan: *Le Monde* was the only French newspaper which had a correspondent in Poznan when the recent riots occurred. Thoughtful students will find his telephone dispatch in the July 4 airmail edition of that paper worth attention. He blames the riots on the sudden suppression of the special allowances paid at the Stalin steel works and other Poznan factories and to the imposition of taxes on overtime pay which had hitherto been tax exempt. Those with whom he talked claimed that arms were obtained from the militia and from the sacked prison; and that Poles have always had the habit of "stashing away" arms for an emergency. He also reported that students of the Poznan Polytechnique joined the demonstrators, bringing with them the arms they used for military training.

Ambassador Passes Loyalty Test: At a closed meeting of the Senate Appropriations Committee July 13, McCarthy confronted U.S. Ambassador to Yugoslavia, James W. Riddleberger, with a newspaper clipping quoting him as having said to Krushchev during a two hour talk when the latter visited Belgrade, "We have our McCarthy, you had your Beria. It is too bad we cannot take care of McCarthy in the same fashion you took care of Beria." Riddleberger first evaded and then denied. . . . And while we're on the subject, the next time George Sokolsky comes up for an appropriation we'll be glad to lend McCarthy an INS clipping from the Hearst *Journal-American* of July 12 about John Cogley's appearance before the House Un-American Activities Committee which says, "Sokolsky accused Cogley of using tactics that he said have come to be known as 'McCarthyism.' Sokolsky said the writer, in his report [on blacklisting], made accusations without adequate proof." Subversives keep popping up in the strangest places.

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